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Attorneys for Plaintiff Hoopa Valley Tribe

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOOPA VALLEY TRIBE, ) Civ. No. 1:20-cv-1814-JLT-EPG  
Plaintiff, )  
v. ) DECLARATION OF THANE  
UNITED STATES BUREAU OF ) SOMERVILLE  
RECLAMATION; DEBRA ANNE HAALAND, )  
in her official capacity as Secretary of the )  
Interior; MARIA CAMILLE CALIMLIM )  
TOUTON, in her official capacity as )  
Commissioner of the United States Bureau of )  
Reclamation; ERNEST A. CONANT, in his )  
official capacity as United States Bureau of )  
Reclamation California-Great Basin Regional )  
Director; and UNITED STATES )  
DEPARTMENT OF THE INTERIOR )  
Defendants. )

I, Thane D. Somerville, state and declare as follows:

1. I am legal counsel of record for Plaintiff Hoopa Valley Tribe in this proceeding.
  2. I certify that meet and confer efforts required by this Court's standing order have been exhausted in advance of Plaintiff's filing of its Motion for Preliminary Injunction on February 13, 2023.
  3. On the morning of February 13, 2023, I spoke via telephone with Defendants' legal counsel, J. Scott Thomas, regarding Plaintiff's anticipated Motion for Preliminary Injunction, informing him of the anticipated timing and substance of the motion. No resolution was reached during that phone call.
  4. On the morning of February 13, 2023, I left a voice message with Defendant-Intervenor's legal counsel Cynthia Larsen regarding Plaintiff's anticipated Motion for Preliminary Injunction, informing her of the anticipated timing and substance of the motion and inviting her to return my call if she or her client wanted to discuss further in advance of the filing.
  5. Following those phone calls, I sent an e-mail to Mr. Thomas and Ms. Larsen confirming the prior phone communications that Plaintiff would be filing its Motion for Preliminary Injunction on February 13, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

DATED this 13<sup>th</sup> day of February, 2023.

/s/ Thane D. Somerville

Thane D. Somerville

## **CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record.

*/s/ Thane D. Somerville*  
Thane D. Somerville